

October 14, 2004

BY ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
The Portals
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: WT Docket No. 03-103
Ex Parte Presentation

Dear Ms. Dortch:

Yesterday, Michael Ha and I attended a meeting with FCC staff and representatives from AirCell, Boeing, Verizon Airfone, and SpaceData to discuss the optimum method of reforming the Air-to-Ground band at 849-851 MHz and 894-896 MHz.¹ A condition of our attendance was that representatives of Nextel Communications would not speak to the FCC staff or the parties during the presentation. Accordingly, we listened to the parties' presentations and the ensuing discussion.

At the end of the two-hour meeting, FCC staff asked whether there were any objections to proceeding with a possible Air-to-Ground (ATG) band reconfiguration proposal. Nextel objected. We noted that nothing in the record addresses – much less resolves – the high likelihood of adjacent-band interference to: (1) 800 MHz Public Safety; (2) 800 MHz Specialized Mobile Radio (SMR); (3) 900 MHz SMR; (4) Cellular A & B Uplink; and (5) Cellular A & B Downlink.

For years, interference problems have plagued public safety, SMR, and Cellular A & B licensees in the 800 MHz and 900 MHz bands. To avoid exacerbating or re-creating the same types of interference problems that the

¹ The FCC staff were as follows: Guy Benson, BJ "Jay" Jackson, Jr., Gregory Vadas, Kathy Harris, Peter Tenhula, Ahmed Lahjouji, George Sharp, Ron Chase, Salomon Satche, David Furth, Ira Keltz, Jim Schlichting, Roger Noel, Tom Derenge, Julius Knapp, Ed Thomas, and Richard Arsenault. The representatives of the ATG proponents were as follows: Cheryl Tritt, Jennifer Kostyu, Eric Frische (Space Data); Jack Blumenstein, Anand K. Chari, Michele Farquhar (Air Cell); Don Brittingham, Robert Combs, Jay Padgett (Verizon Airfone); Howard Symons, Edward Laase, Carlos Nalda (Connexion by Boeing).

Commission has spent years trying to solve, Nextel explained that both the parties and the Commission must perform rigorous adjacent-band interference analysis and testing as a part of the publicly available record prior to the FCC adopting a service rules order in this proceeding.

Nextel then indicated that it supports in-band competition over Verizon's proposal to acquire monopoly control over the ATG band; however, Nextel otherwise expressed no opinion on how best to reform the ATG band. Nextel concluded by stating that, whatever proposal is ultimately adopted for the ATG band, the Commission must develop a record and conduct the tests necessary to ensure that public safety, SMR, and cellular operators do not suffer harmful interference from enhanced ATG operations.

Under section 1.1206(b)(2) of the Commission's rules, 47 C.F.R. § 1.1206(b)(2), please associate this letter with the above-referenced docket.

Sincerely,

[/s/ Trey Hanbury](#)

Trey Hanbury
Senior Counsel
Nextel Communications

CC: Guy Benson, BJ "Jay" Jackson, Jr., Gregory Vadas, Kathy Harris, Peter Tenhula, Ahmed Lahjouji, George Sharp, Ron Chase, Salomon Satche, David Furth, Ira Keltz, Jim Schlichting, Roger Noel, Tom Derenge, Julius Knapp, Ed Thomas, Richard Arsenault